

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

State Building Code Appeals Board¹
Docket No. 05-325

Erskine Chaffin,)
Appellant,)
)
v.)
)
City of Springfield and Steven T.)
Desilets,)
Appellees)

BOARD'S RULING ON APPEAL

Procedural History

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant asks the Board to grant a variance from 780 CMR 904.7, 780 CMR 918 and 780 CMR 3404.12.3 of the Massachusetts State Building Code ("MSBC") from the requirement of installation of a Fire Suppression System for 614-616 Worthington Street, Springfield, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on November 21, 2007 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing pro se. Present and representing the City of Springfield Building Department was Darcy Gardner. There was no representative present from the City of Springfield Fire Department.

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108.

Discussion

A motion was made to Grant the Appellant's request for a variance from 780 CMR 904.7, 780 CMR 918 and 780 CMR 3404.12.3 of the MSBC allowing the Appellant to install a fire alarm system in lieu of a sprinkler system. The Appellant will install a state of the art fire alarm system as detailed in his November 20, 2006 letter to the Board; based upon that letter the Board will grant the relief requested by the Appellant with the condition that the local building official approve the fire alarm system and that system must be monitored. Motion carried 2-1 with Keith Hoyle casting a vote to deny the variance.


Conclusion

Based upon the foregoing the Appellant's request for variance from 780 CMR 904.7, 780 CMR 918 and 780 CMR 3404.12.3 **GRANTED.**

SO ORDERED.



HARRY SMITH



ALEXANDER MACLEOD



KEITH HOYLE

DATED: January 18, 2007

**In accordance with M.G.L. c. 30A § 14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.*